

REMARKS

Claims 7-10 remain herein. Claims 7 and 9 are amended.

1. Claims 7 and 9 were rejected under 35 U.S.C. § 103(a) over Ogami U.S. Patent 5,077,168 in view of Chambon U.S. Patent 5,204,453. However, no combination of the teachings of these references would render claims 7 and 9 unpatentable.

Claim 7 as amended claims a toner for developing an electrostatic image, the toner comprising a metal coordinated with a monoazo compound represented by formula [I] recited therein. Formula [I] includes a phenyl group substituted by groups R^1 - R^4 , wherein each of R^1 , R^2 and R^4 is a hydrogen group and R^3 is selected from the group consisting of an alkyl group comprising a straight chain or a branch chain having 1 to 18 carbon atoms and a halogen atom. The Office Action admits that Ogami does not disclose or suggest this charge control agent. Instead, the Office Action relies on formula (24) disclosed at column 12, lines 10-20 of Chambon.

Chambon fails to disclose or suggest applicants' toner as claimed in amended claim 7. As the Office Action points out, formula (24) includes a phenyl group substituted with a nitro group. Office Action, page 6. In contrast, the phenyl group in applicants' formula [I] is not substituted by a nitro group. Thus, Chambon does not disclose the monoazo compound of formula [I] claimed in applicants' claim 7. Additionally, the Office Action admits that Ogami does not disclose this compound. Thus, neither Ogami nor Chambon alone or in combination discloses applicants' claimed monoazo compound.

Furthermore, Chambon does not disclose or suggest that the metal complex of formula (24) is "resistant to sublimation" as claimed in applicants' claim 7. The Office Action admits that Chambon

does not explicitly disclose that the metal complex of formula (24) is resistant to sublimation but instead presumes it is because formula (24) allegedly has the “identical chemical structure” to applicants’ claimed monoazo compound of formula [I]. However, as explained above, Chambon formula (24) is not identical to the compound of applicants’ formula [I] because the phenyl group in formula [I] is not substituted with a nitro group.

Because the compounds disclosed in Chambon are not identical to applicants’ formula [I], it cannot be presumed that the metal complex of Chambon formula (24) is resistant to sublimation. Furthermore, the metal complex azo compounds disclosed in Chambon are used as dyes for dyeing wool, synthetics, or other textiles. See Chambon abstract. Therefore, they are not exposed to the extreme high temperatures of applicants’ toner and thus have no need to be resistant to sublimation. There is thus no basis to presume that Chambon discloses or suggests applicants’ claimed sublimation resistant toner.

For the foregoing reasons, neither Ogami nor Chambon discloses all elements of applicants’ claimed invention, and neither of these references discloses anything that would have suggested applicant’s claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Ogami or Chambon that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicants’ presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection and allowance of claims 7 and 9.

2. Claims 7-10 were rejected under 35 U.S.C. § 103(a) over Tanikawa U.S. Patent 5,500,318 in view of Chambon. As with Ogami, the Office Action admits that Tanikawa does not

disclose or suggest applicants' claimed monoazo-metal compound. As explained above, Chambon also fails to disclose or suggest applicants' claimed monoazo-metal compound. Furthermore, both Tanikawa and Chambon fail to disclose or suggest a monoazo-metal compound that is resistant to sublimation. As explained above, Chambon cannot be presumed to disclose or suggest a monoazo-metal compound that is resistant to sublimation because Chambon formula (24) is different from applicants' formula [I].

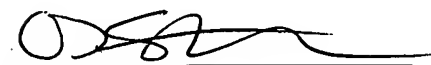
For the foregoing reasons, neither Tanikawa nor Chambon discloses all elements of applicant's claimed invention, and neither of these references discloses anything that would have suggested applicants' claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Tanikawa or Chambon that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection and allowance of all claims 7-10.

For the foregoing reasons, all claims 7-10 are now fully in condition for allowance, which is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293. Should the Examiner feel that further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Respectfully submitted,

STEPTOE & JOHNSON LLP

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Roger W. Parkhurst

Registration No. 25,177

C. Donald Stevens

Registration No. 53,638

STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036-1795
Tel: (202) 429-3000
Fax: (202) 429-3902

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